**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.16462 of 1998**

**Date: 28.03.2007**

Between:

Sri Salikineedi Bujji Babu and another

....Petitioners

and

The Deputy Executive Engineer, Panchayat Raj Department and others

....Respondents

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.16462 of 1998**

**O R D E R:**

The petitioners claim to be the owners of land admeasuring Ac.2.05 cents each in Sy.Nos. 449/10 and 449/11 respectively of Vadlamoorivaripalem Village, Rompicherla Mandal, Guntur District. Their grievance is that the respondents are encroaching into the said land under the guise of implementation of the 'Rural Water Supply Scheme', without initiating the proceedings under the Land Acquisition Act, 1894 (for short 'the Act').

Heard the learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj, appearing on behalf of the respondents.

The petitioners assert that they are the exclusive owners of the lands referred to above. It is contended that if any portion of the said land is required for implementation of the 'Rural Water Supply Scheme', the proceedings under the Act are to be initiated.

Even assuming that they are Government lands, the petitioners are entitled to be put on notice before their rights are interfered with. On 18.6.1998, this court granted interim order directing that the respondents shall not interfere with the possession of the petitioners' over the said lands, without initiating the appropriate proceedings

under the Act.

No counter affidavit is filed so far.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing that the respondents shall not interfere with the possession of the petitioners' over the land admeasuring Ac.2.05 cents each in Sy.Nos. 449/10 and 449/11, respectively of Vadlamoorivaripalem village, Rompicherla Mandal, Guntur District, without following necessary proceedings under the relevant provisions of the law. There shall be no order as to costs.

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**L.NARASIMHA REDDY, J**

28th March, 2007.
cvm